

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**VS.**

## JUAN AVALOS,

**Defendant.**

**8:13CR88**

## ORDER

This matter is before the court on the motion to continue trial [34] as counsel has just been retained and requires time to adequately prepare for trial. For good cause shown,

**IT IS ORDERED** that the motion to continue trial is granted, as follows:

1. The jury trial now set for August 27, 2013 is continued to **October 1, 2013**.
2. Defendant is ordered to file a waiver of speedy trial as soon as practicable.

3. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and October 1, 2013**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

**DATED August 2, 2013.**

**BY THE COURT:**

**s/ F.A. Gossett**  
**United States Magistrate Judge**